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8 Attorneys for Defendants
9 Jeremy Johnson; Cloud Nine Marketing, Inc.;
CPA Upsell, Inc.; Elite Debit, Inc.; Internet
Economy, Inc.; Market Funding Solutions, Inc.;
Success Marketing, Inc.; and I Works, Inc.

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FEDERAL TRADE COMMISSION,
Plaintiff,
v.
JEREMY JOHNSON, individually, as officer
of Defendants I Works, Inc.; Cloud Nine, Inc.;
CPA Upsell, Inc.; Elite Debit, Inc.; Internet
Economy, Inc.; Market Funding, Inc.; and
Success Marketing, Inc.; as a member of
Defendant Network Agenda, LLC; and as the
de facto principal of numerous Defendant
Shell Companies;
I WORKS, INC., a Utah corporation, et al.,

CASE NO. 2:10-cv-02203-RLH-GWF

**MOTION TO WITHDRAW AS
ATTORNEY OF RECORD**

Hutchison & Steffen moves the Court for an order, pursuant to LR IA 10-6 and Nevada Supreme Court Rule 46, permitting Hutchison & Steffen, LLC to withdraw as attorneys for Defendants Jeremy Johnson; Cloud Nine Marketing, Inc.; CPA Upsell, Inc.; Elite Debit, Inc.; Internet Economy, Inc.; Market Funding Solutions, Inc.; Success Marketing, Inc.; and I Works, Inc. (the “Johnson Defendants”).

This Motion is based on the attached Declaration of Todd W. Prall, the pleadings and papers on file and the attached memorandum of points and authorities that follow.

DATED this 21 day of July, 2011.

HUTCHISON & STEFFEN, LLC

Mark A. Hutchison
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Jacob A. Reynolds
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10080 West Alta Drive, Suite 200
Las Vegas, NV 89145

Attorneys for Defendants
Jeremy Johnson; Cloud Nine Marketing, Inc.;
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Economy, Inc.; Market Funding Solutions, Inc.;
Success Marketing, Inc.; and I Works, Inc.

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **1. Introduction**

3 Hutchison & Steffen moves to withdraw as counsel for the Johnson Defendants
4 because, pursuant to LR IA 10-6 continued representation will result in unreasonably difficult
5 representation and unreasonable financial burden upon Hutchison & Steffen.

6 Supreme Court Rule 46 provides, in pertinent part:

7 The attorney in an action or special proceeding may be
8 changed at any time before judgment or final determination as
follows:
....

9 (2) Upon the order of the court or judge thereof on the
10 application of the attorney or the client.

11 LR IA 10-6 provides in pertinent part:

12 (b) No attorney may withdraw after appearing in a case
13 except by leave of court after notice served on the affected client
and opposing counsel.
....

15 (d) Discharge, withdrawal or substitution of an attorney shall
16 not alone be reason for delay of pretrial proceedings, discovery, the
trial, or any hearing in the case.

17 (e) Except for good cause shown, no withdrawal or
18 substitution shall be approved if delay of discovery, the trial or any
hearing in the case would result.

19 No delay in trial or any hearing will result if the court grants the instant motion to withdraw as
20 counsel. This case is still in its incipient stages. The discovery period has just recently
21 commenced. Johnson was recently indicted criminally. The criminal indictment is based on
22 the same transactions and facts as the complaint brought in this case by the FTC. The parties to
23 this case have entered into a limited stay with respect to the discovery relating to Johnson.

24 The clients have not paid their account according to the retainer agreement. Moreover,
25 because of the asset freeze issued in this case, it is unclear as to whether the clients will ever be
26 able to pay their account. Therefore, Hutchison & Steffen cannot further represent the Johnson
27 Defendants. Hutchison & Steffen requests that the Court grant its motion to withdraw.

28 ////

For the foregoing reason, Hutchison & Steffen respectfully requests that the Court grant its motion to withdraw. *A*

DATED this 21 day of July, 2011.

HUTCHISON & STEFFEN, LLC

Mark A. Hutchison
Todd W. Prall
Jacob A. Reynolds
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Las Vegas, NV 89145

Attorneys for Defendants
Jeremy Johnson; Cloud Nine Marketing, Inc.;
CPA Upsell, Inc.; Elite Debit, Inc.; Internet
Economy, Inc.; Market Funding Solutions, Inc.;
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DECLARATION OF TODD W. PRALL

PURSUANT TO 28 U.S.C. § 1746

STATE OF NEVADA)
)
COUNTY OF CLARK)

TODD W. PRALL, being first duly sworn, deposes and says that:

1. I am an associate with the law firm of Hutchison & Steffen, LLC, counsel for Defendants, Jeremy Johnson; Cloud Nine Marketing, Inc.; CPA Upsell, Inc.; Elite Debit, Inc.; Internet Economy, Inc.; Market Funding Solutions, Inc.; Success Marketing, Inc.; and I Works, Inc. (the “Johnson Defendants”) in the pending action. I am one of the attorneys responsible for the day-to-day handling of this matter.

2. I make this Declaration in support of the Motion to Withdraw as Attorney of Record and make it on my personal knowledge, except as to those matters stated on information and belief and, as to those matters, I believe them to be true.

3. The Johnson Defendants have not paid their the legal fees incurred as agreed in the retainer agreement.

4. The Johnson Defendants have indicated that they will will not be able to pay for the legal services of Hutchison & Steffen.

5. The last known address of the Defendants is:

Jeremy Johnson
c/o Travis Marker
205 East Tabernacle Street, Suite 2
St. George, Utah 84770

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 21st day of July, 2011.


Todd W. Pratt, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of July, 2011, the foregoing document entitled:

MOTION TO WITHDRAW AS ATTORNEY OF RECORD was served via electronic service through the United States District Court for the District of Nevada's ECF System upon each party in the case who is registered as an electronic case filing user with the Clerk.

An employee of Hutchison & Steffen, LLC

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